

PROCEEDINGS OF THE BROWN COUNTY
LAND CONSERVATION SUBCOMMITTEE

Pursuant to Section 18.94 Wis. Stats., a regular & budget meeting of the **Brown County Land Conservation Subcommittee** was held on Monday, October 19, 2015 in Room 161, UW Extension, 1150 Bellevue Street, Green Bay, Wisconsin.

Present: Chairman Dantine, Supervisors Bernie Erickson, Tom Sieber, Dave Kaster, Dave Landwehr and Mr. Dan De Grave

Also Present: Mike Mushinski, John Bechle, Supervisors Lund, Kaye, Robinson and other interested parties.

I. Call Meeting to Order.

The meeting was called to order by Chair Norb Dantine at 5:00 pm

II. Approve/Modify Agenda.

Motion made by Supervisor Landwehr, seconded by Supervisor Sieber to move Item 3 to be taken before the budget review portion of the agenda. Vote taken. **MOTION CARRIED UNANIMOUSLY**

III. Approve/Modify Minutes of September 28, 2015.

Motion made by Supervisor Sieber, seconded by Supervisor Landwehr to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY.**

Comments from the Public. None.

BUDGET REVIEW

REVIEW OF 2016 DEPARTMENT BUDGET

1. Land and Water Conservation – Review of 2016 department budget.

County Conservationist Mike Mushinski referred to Page 213 of the budget book where the top three initiatives of the Land and Water Conservation Department are outlined. These initiatives relate to the Lower East River Watershed, Plum-Kankapot Creeks and Pike Restoration Project.

With regard to the Lower East River Watershed, Mushinski reported that this will be a big priority and Brown County will collaborate closely with the Fox - Wolf Watershed Alliance in achieving federal requirements in order to reduce sediment and phosphorous run off while improving water quality in the lower East River watershed. This will open up clean water act funding.

Mushinski also noted that with regard to the Plum-Kankapot Creek project, they already have an EPA approved 9 key element plan and they will be starting implementation in 2016. There will be one staff person devoted to this project. Mushinski stated that a lot of data monitoring will be happening and the effects of the conservation will be able to be seen as practices are applied. This project will also advance Water Quality Trading in the Lower Fox River Watershed in order to ensure the permanency of the practices installed and create a funding mechanism for future projects in the watershed.

Mushinski continued that with regard to the pike restoration project, they have been working on the west shore and the NRDA settlement will provide an opportunity to work on the East River tributaries which will be a unique experience.

With regard to revenues, Mushinski noted that the department met the levy target of \$414,000. In addition, the federal revenue is up and they have a contribution agreement with NRCS to fund .75 of a staff person to work on restoration projects. Mushinski also noted that the state revenue is down a little bit.

Mushinski noted that under the staffing summary, the agronomist technician for the project manager west shore was put in a \$20.00 per hour, but the wage for this person will be \$24.91. He also noted that there is a change in the rates and fees schedule and he provided a copy of the new schedule, a copy of which is attached. The biggest change

is with regard to animal waste storage system fees. He noted that it is easier to use millions of gallons on farms instead of animal units so they went to millions of gallons listings. They also added a waste system permit of \$500 and further the abandonment costs changed a little bit. There have also been changes in the feed lot permits in an attempt to be more equitable to smaller landowners.

Landwehr referred to Page 337 of the budget book where one agronomist is being added but half of a project manager is being deleted and asked if the additional agronomist is county funded or if it is funded by an outside source. Mushinski answered that the one open position for an agronomist is for the Plum - Kankapot project and is funded by an outside source. If the funding stream for this was to be eliminated, the position would be eliminated as well. Mushinski stated that it was originally thought this would be a five year project but because of issues with the grant it has been changed to a 3 ½ year project.

With regard to the change in wages discussed earlier, Director of Administration Chad Weininger stated that the choices would be not to make the change in the budget and have the additional costs absorbed by the department or make the change and increase wages by \$6,173 and give additional levy. It was then noted that the half position is 100% funded and Weininger responded that then wages should be increased by \$6,173 and inter-governmental revenue should be increased by the same amount.

Motion made by Supervisor Kaster, seconded by Supervisor Erickson to increase the project manager West Shore salary and benefits by \$6,173 and increase inter-governmental revenues by \$6,173. Vote taken. MOTION CARRIED UNANIMOUSLY.

Motion made by Supervisor Erickson, seconded by Supervisor Kaster to approve the Land Conservation department budget as amended and forward to the full County Board. Vote taken. MOTION CARRIED UNANIMOUSLY

Non-Budget Items

2. Open Positions Report.

Mushinski provided the departmental openings summary to the Subcommittee, a copy of which is attached, and indicated that the agronomist position listed is the Plum-Kankapot position discussed earlier and he anticipates hiring for this position in mid-2016.

Motion made by Supervisor Sieber, seconded by Dan De Grave to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY.

3. Variance Request by Diederich Farm LLC to build an Animal Waste Storage facility within 250 ft of an adjoining property line. (Maps and consent letter to be provided at time of meeting.)

Although shown in the proper format here, this Item was taken prior to Item 1.

Mike Mushinski provided copies of the consent letter and map to the Subcommittee, copies of which are attached. He stated that the map shows the location of the proposed animal waste storage facility as well as well setbacks of 100' feet and 250'. These are the two well code separations used for design and planning purposes. The property line is also shown and the line in question would be the south property line that is approximately 145'. There is a light ring on the map that shows the approximate location of the new storage structure which is a round tank 145' from the property line. Mushinski continued that the ordinance has a provision that they be 250' from the property line and this is a variance request to go within that 250'.

The other item provided is a copy of the letter that is given to the adjoining property owners and indicates that they are aware of the planned storage facility and do not have any objections or comments.

Motion made by Supervisor Landwehr, seconded by Dan De Grave to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

Dantinne explained that the next step in the process is for this to go before the full County Board at their meeting on November 4, 2015.

4. Directors Report.

Mushinski reported that they had a demo farm field day on September 30 which was attended by 100 people. He also noted that they hosted Congressman Reid Ribble and Senator Tammy Baldwin on October 12 and he was happy that interest was shown regarding the progress being made. Mushinski noted that a team in Ohio is attempting to duplicate demo farms and are using Brown County as their guidelines and Mushinski will be hosing several people from Ohio in the next week to show them around.

Motion made by Supervisor Erickson, seconded by Supervisor Landwehr to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY.

Other

5. Such Other Matters as Authorized by Law. None.

6. Adjourn.

Motion made by Supervisor Sieber, seconded by Supervisor Landwehr to adjourn at 5:20 p.m. Vote Taken. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Alicia A. Loehlein
Recording Secretary

Therese Giannunzio
Transcriptionist

Land and Water Conservation

Animal Waste Storage System			
0–1 million gallons	Permit	500.00	500.00
1-2.5 million gallons	Permit	1,000.00	1,000.00
2.5-5 million gallons	Permit	1,500.00	1,500.00
Over 5 million gallons	Permit	2,500.00	2,000.00
Waste Transfer System/Waste Storage Modification	Permit		500.00
Abandonment of Waste Storage Systems			
0–1 million gallons	Permit	500.00	N/A
over 1 million gallons	Permit		250.00
	Permit		500.00
Animal Waste Storage Facility Inspection Fee:			
Overflows	Per Event	3,000.00	3,000.00
Liner Failure	Per Event	3,000.00	3,000.00
Unintended Use	Per Year	2,000.00	2,000.00
Operations Greater Than 500 Animals	Per Year	500.00	500.00
Feed Lot Permits			
0-5,000 ft. ²	Permit	1,200.00	N/A
5,000-10,000 ft. ²	Permit		300.00
	Permit		600.00
Over 10,000 ft. ²	Permit		1,200.00
All After-the-Fact Permits	Permit	Twice normal fee	Twice normal fee
State Ag Non-Point Perform Standards/Prohibitions, Nutrient Mgmt Fee (NR151, ATCP50)			
Engineering Services	Per Ag Acre	.50	.50
	Hour	42.00	42.00

Departmental Openings Summary
To: Land Conservation Committee
From: Land & Water Conservation Department

1-Oct-15

Position	Vacancy Date	Reason for Leaving	Fill or Hold	Unfilled Reason
Agronomist	Current	N/A	hold	grant funding not 100%

Ex: Transfer, Wage, Working Conditions



2990 S. Pine Tree Rd.
Hobart, WI 54155
tele: 920-869-3809
fax: 920-869-2048

Allyn Dannhoff
Director of Neighborhood Services
e-mail: allyn@hobart-wi.org

John Bechle
Assistant County Conservationist
Brown County Land and Water Conservation Department
1150 Bellevue St
Green Bay WI 54302

October 8, 2015

Re: Diederich Farm LLC Variance: Manure Storage Facility Setback

Dear Mr. Bechle;

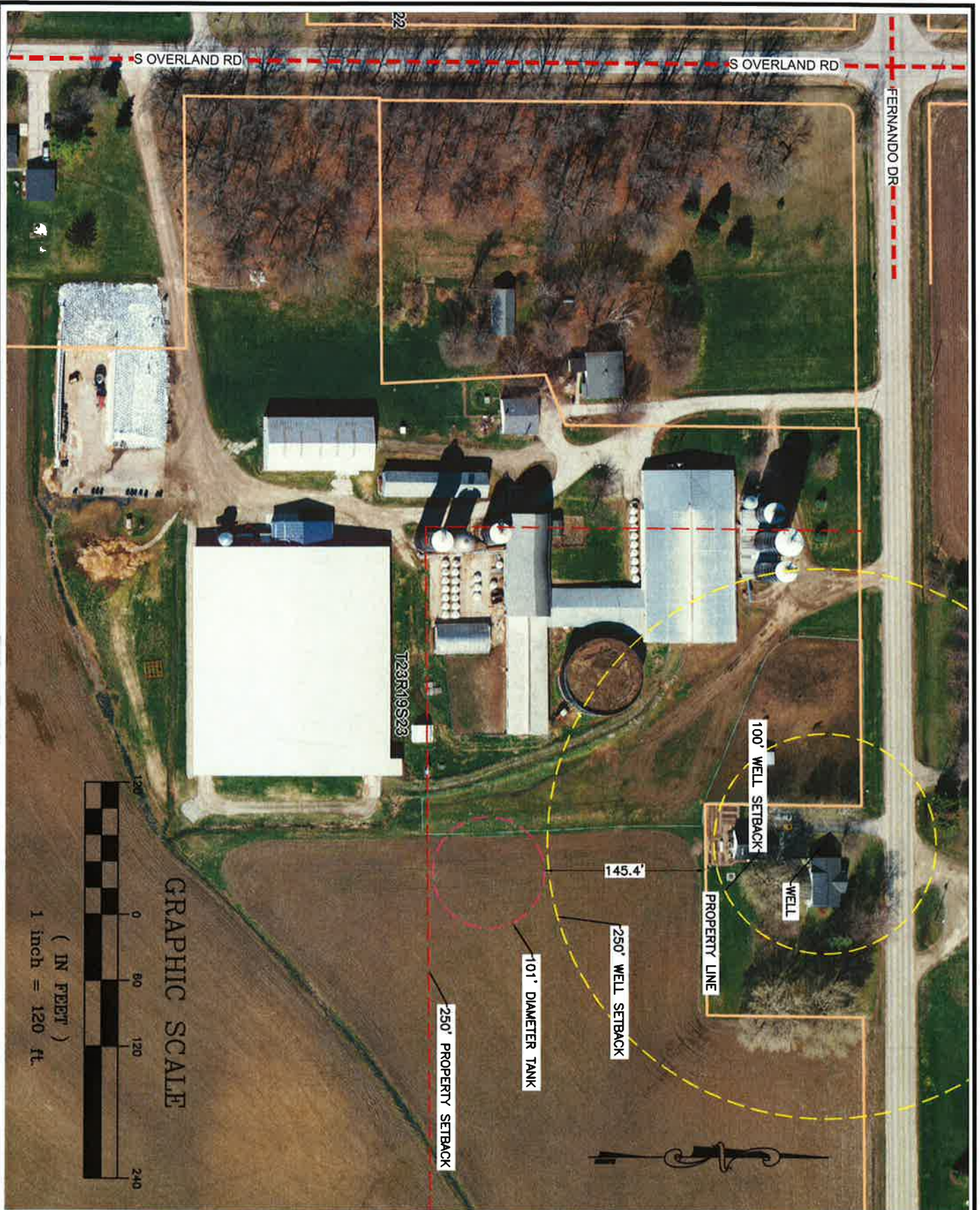
The Village of Hobart has no objection to the variance request given the property in question has expressed in writing they have no objection to the requested setback variance. Given they are the only party that could be negatively impacted by this variance request the Village supports the decision of the abutting property owner.

If there are any questions, please do not hesitate to call.

Respectfully:



Allyn Dannhoff
Director of Neighborhood Services
920-869-3809



BCLWCD

BROWN COUNTY LAND & WATER CONSERVATION DEPT.

PLAN VIEW

CLIENT: DIEDERICH VARIANCE
 COUNTY: BROWN

Designed _____ Date _____
 Drawn _____
 Checked _____
 Approved _____

Drawing Name
WI-007
 Date
10/2015
 Sheet 4 of 4

LAND AND WATER CONSERVATION

Brown County

1150 BELLEVUE ST.
GREEN BAY, WI 54302

JIM JOLLY

PHONE (920) 391-4620 FAX (920) 391-4617 WEB: www.co.brown.wi.us

COUNTY CONSERVATIONIST

Notice of Intent (Animal Waste Storage Facility)

This letter was drafted in order to provide you with information about an animal waste/industrial storage facility being planned near your property under authority of Chapter 26 of the Brown County Administrative Code.

I/We (PATRICK LENNON) (PAM LENNON) are aware of the manure storage facility being planned for Diederich Farm LLC. I/We are also aware of the Brown County Land Conservation Subcommittee meeting being held Oct. 19, 2015 at 5:00 p.m. at the UW-Extension, 1150 Bellevue St Green Bay, WI for a request for a variance to the Brown County Animal Waste Management Ordinance. The ordinance requires a 250-foot setback of a manure storage facility from an adjacent owner's property line. At this time I/We have/have no comments or objections with the placing of a manure storage facility for DIEDERICH within 250 feet of my property line.

Burkannon
NEIGHBOR'S SIGNATURE

Date: 10-7-15

Petal St. Lauer
NEIGHBOR'S SIGNATURE

Date: 10-7-15

Enclosed for your information is an aerial view of the site with the location of the planned facility and a copy of Brown County's Animal Waste Ordinance. Please review and circle the above italicized statement, which fits your position on the location of the manure storage facility and send it back to the Brown County Land & Water Conservation Department with the enclosed stamped envelope.

If you have questions or concerns about this project you can call our office, attend the meeting or submit written comments to the Brown County Land & Water Conservation Department at the above address before the Oct. 19, 2015 Land Con. meeting.

Brown County does not endorse or assume responsibility for the use or misuse of this structure in the future regarding odor, manure spills, over application of wastes, management, maintenance, agricultural generated noises or health/safety liabilities. This structure is being designed and inspected to follow all local, state and federal standards and specifications.

If there are any changes to the above meetings or dates you will be notified by mail or phone.

Sincerely,

Jim Beale
Assistant County Conservationist



Turning
Brown
Green